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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARION ZIMMER BRADLEY LITERARY
WORKS TRUST,

and

ANN SHARP, Trustee,
Plaintiffs,

v.

MARY BATTLE, and DOE 1,

Defendants.

Case No.: 3:12-CV-00073 MEJ

**STIPULATED MOTION TO ENTER
CONSENT DECREE AND DISMISSAL
[Fed. R. Civ. P. 41(a)]**

Plaintiffs Marion Zimmer Bradley Literary Works Trust and Ann Sharp, its Trustee, and Defendant Mary Battle, by and through their undersigned attorneys, hereby request that the Court enter the Consent Decree Attached hereto as Exhibit 1. All parties have agreed to the terms of the Decree, as evidenced by their signatures thereon. In addition, the parties request that the Court dismiss this action with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2). As set forth in the Consent Decree, the parties stipulate and request that the District Court retain jurisdiction to enforce the terms and conditions of this Consent Decree and to resolve disputes arising hereunder as may be necessary or appropriate for the construction or execution of this

1 Consent Decree. *See Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375, 381 (1994).

2 On June 26, 2012, counsel for Defendant authorized counsel for Plaintiff to sign and file
3 this Stipulated Motion on behalf of all parties.

4 Dated: June 26, 2012

6 By: /s/ Kelley A. Way
Kelley A. Way
7 Attorney for Plaintiffs Marion Zimmer Bradley
8 Literary Works Trust and Ann Sharp, Trustee

9 Dated: June 26, 2012

10 By: /s/ David R. Owens
David R. Owens
11 Attorney for Defendant Mary Battle
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~~[PROPOSED]~~ ORDER

Good cause appearing, and the parties having stipulated and agreed,

IT IS HEREBY ORDERED that Plaintiffs Marion Zimmer Bradley Literary Works Trust and Ann Sharp, Trustee claims against Defendant Mary Battle, as set forth in the Complaint filed in Case No. 3:12-CV-00073 MEJ, are hereby dismissed with prejudice.

IT IS FURTHER ORDERED that the Consent Decree attached as Exhibit 1 to the Stipulated Motion to Enter Consent Decree and Dismissal is adopted and approved by this Court;

IT IS FURTHER ORDERED that the Court shall retain and have jurisdiction to enforce the terms and conditions of this Consent Decree and to resolve disputes arising hereunder as may be necessary or appropriate for the construction or execution of the Consent Decree. *See Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375, 381 (1994).

IT IS SO ORDERED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT COURT OF CALIFORNIA

Dated: June 27, 2012



Hon. Maria-Elena James
Chief United States Magistrate Judge